G. R. S. [X-5]

Previous references.

1889-90

~~192~~ .

(L. R.)

File No. 78 of 1889

Serial Nos. 1 — 10

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 10

Part B for January 1893

SUBJECT.

Appeal of Muniappa of Kuppanahalli Bowringpet Taluk, Complaining that Some of his dry lands have been assessed at garden rates by the Survey Department.

To

Muniappa of Kuppanahalli
Bowringpet Taluk.

No. 322 Dated 11.1.93

Sl 10 Informs him that the Government are not prepared to alter the garden rates of assessment fixed on the lands in question.

WD 2233—G PB—20,000—14-6-20

P. 7. 2 28 89

1-32 (10)

Pm no 322 dated 27th May 1890.

Petitioner
Muneappa
of Kuppanahalli
Bowringpett Taluq.

Petitioner complains that his survey nos 24 & 40 were unjustly assessed at garden rates.—

The reports received show the following facts.—

	a	asst
Dry	1.	2-0
Garden	3.20	12-0
	4.20	14-0

No 24. This was originally Dry. In about 1868, the then holder of the land excavated a gunta, planted a few Cocoanut-trees, & raised garden crops.— but as he had not sufficient water in the Gunta ~~the~~ Pond, he given up the garden cultivation & transferred the land to Pr in about 1877.— Ever since which Dry crops have

in said!
alone have been raised in a portion of the land, the other portion having been used for grazing purposes. The Cocoanut trees ~~originally~~ planted in 1868 do not now exist. — The Survey Dept assessed 3.20 at the garden rate of Rs 3-8- per acre on the ground (1) that garden & rice crops were once raised on the land, & (2) that the ~~Pond~~ Gunter or well was in good condition at the time of the Survey. — The asst Comr who inspected the land, states that the Pond is now in a ruined condition ~~& that~~ & that if Pr will spend some money, garden crops could be raised on the land. —

The Govr consider that the fact of the disappearance of the Cocoanut trees, & the fact of the garden cultivation once attempted having been given up, the ~~Pond~~ Gunter being allowed to fall into disrepair, are sufficient to prove that the land is not fit for garden cultivation — they hope direct that it be

[illegible]

assessed in future at the ~~highest~~ Dry rates ~~[illegible]~~ of 2 Rs an acre. —

	acres	asst
Dry	3.20	7-4-
Garden	1.37	11-12-
	5.17	19-00

2. Survey No 40. At the time of the survey, Turmeric & vegetables were raised on the land. The Survey Dept assessed 1.37 ~~at~~ as garden at 6 Rs an acre on the ground that 1 acre of the land enjoyed water supply ~~from the~~ by channel from the Tank, — the asst Comt who inspected the land reports that the level of the channel is lower than that of the land, & that water could not be ~~raised~~ brought to the land without lift, & that the water in the Tank is stated to be insufficient for the Achukat under it. —

~~& from a well close by~~

& that 37 guntas could be irrigated by a well close by.

The well referred to ~~appears to have~~ does not appear to be on the land itself, but near it, intended to irrigate another piece of garden land ~~[illegible]~~

Garden-crops are now raised. — Under these circumstances, the Govt consider that this land also (P. 37) should be assessed as Dry at 2 Rs an acre ~~[illegible]~~ & order that it be assessed accordingly.

M C
29/11/90

See p. 53 Survey manual
p. 189 Rev. Compilation

Note.

No. 40. 1 acre, under channel by lift, if Govt water be used for it, can be charged with ~~wet~~ water rate

No. 40 - 37 Guntas. } are under
No. 24 - 3½ acres. } ~~disused~~ wells not now is use —

Are we prepared to reconvert into ~~[illegible]~~ dry all gardens under wells, on the ground that the wells are in disrepair & disuse, though capable of being restored.

or ~~[illegible]~~ or rather that, owing to remediable disrepair of wells, no garden crops are now, or can now be raised.

To recognise this would offer a premium to gardens under wells being abandoned for a time & after reconversion ~~[illegible]~~ of asst into dry, to their being resuscitated as gardens & for new Rules secure freedom from enhanced asst under such cases. The question is a very difficult one & we must discuss it further I think by

7-12-90.

Note.

As this involves revision of asst & the Survey supdt is against any reduction, I think that this decision requires the approval of the Dewan. —

M C
29/11/90

I think the addl Rules of the Council empower us to dispose of this matter. Can it not be said to fall under [illegible] Land Rev Code [illegible] 20 of the addl [illegible] Which I have no objection to the file being sent to the Dewan.

[illegible] 4/12/[illegible]

6 (General Serial No. 32.)

1890.

(2)

No. 322

Name of Petitioner. Munyappa

Village. Kuppanahalli

Taluk. Bowringpett

District. Kolar

Date of Arzi. 27-5-90

Date of Receipt. Do.

Date of Disposal.

No. of Enclosures. 1

L.R. 78-89-1

ABSTRACT.

Petitioner has been holding for a long time a piece of dry land in the above village, on which he has always been raising dry crop only by means of rain. Owing to some ill feeling against him the ~~Inspector~~ classed of the Survey Department added some other old land which was close by to the above land & made it into 2 Surveys viz 24 & 40 treating them as wet & bagayat

thereby entirely changing the real description of the land. About 4 or 5 acres out of them have been classed as bagayet.

The Survey Supt^d to whom Petr. petitioned on the subject requesting him to inspect the spot which was only at the short distance of 3 or 4 miles, was not pleased to grant his prayer but gave him an endorsement + which is herewith produced.

Petr. has been seriously wronged by the above procedure; prays that the matter be fully enquired into.

Survey rates were introduced accordingly. Your request to alter the "bab" cannot be complied with.

+ Survey Supt^ts order No. 768 d/17-4-90:

work was conducted according to rules & the

26-5-90

26-5-90

26-5-90

No. 322

[illegible]

10 (General Serial No. 30.)

1890

OFFICE OF THE DEWAN OF MYSORE. 4773 21 AUG. 90 295

From

The Deputy Commissioner
Kolar District.

To

The Chief Secretary
to the Dewan of Mysore

Dated 16th August 90.

Despatched 19

Received L.A. 7 89-3

Enclosures No. 3 & 1 file of V.P.

General No. 1426
No. 321 1890-91

Sir,

With reference to your Official Memorandum No 132 dated the 27th May last forwarding for report a petition from Muniappa of Kempanahalli, Bowringpet Taluq, complaining that some of his dry lands have been assessed at garden rates by the Survey Department, I have the honor to submit the accompanying copy of report No 30 of the 6th I[illegible] from Mr Assistan[illegible] missioner A loo[illegible] with its origin[illegible]

Petition Dept
as
21/8/90

Submitted with refces

26/8/90. A.P.
Mr Dep Dewan
[illegible]
[illegible]

× herewith returned with enclosure.

[illegible]
[illegible]
5/9/90

132
22-8-90

as per margin on the subject.

I have the honor to be
Sir
Your most obedt servant
[signature]
Offg Deputy Commissioner

[signature]

Bowringpet Amildar's Arize No 1 of 26-6-90 with its 5 enclosures

Dy. Comrs Yadi No 200 of 26-6-90 to the Suptt Mysore Rev Survey & his reply No 582 of 4-7-90 with its enclosure.

Patel Tippegowda's Kaifiyat of 2-8-90

Shanbogue Subbarayappa's Do - Do -

Munegowda's petition to the Dy Comr of 11-6-90 with yadi (of 12-6-90) thereon to the Asstt Comr with 2 enclosures

No 3.

12

(4a)

To.

The Deputy Commissioner
Kolar District.

Sir,

With reference to Memo No 132 dated 27th May 1890, from the Chief Secretary to the Dewan of Mysore forwarding for enquiry and report petition No 322 from Hootcha Gowdana Mooniappa of Koopanahally, Bowringpet Taluq, I have the honor to submit the following papers concerning the lands Nos 24 and 40 to the settlement of which by the Revenue Survey Department objection has been taken by the petitioner.

2 Extracts from the Vasool Bhaki Accounts.

2 do – from Sud – do.

1 do – from Classer's Tipthan book.

1 Statement by Potail Thippa Gowda.

1 do – by Shanbogue Soobroyappa with copy of his petition to the Deputy Commissioner dated 1st May 1868.

1 do – showing the cultivated and uncultivated wet lands under the Tank & the kind of crop raised in land No 24 (old No 65)

2. As regards No 24, Vencatroyappa, was the registered holder, but his brother Soobroyappa, the present Shanbogue was enjoying it at 7 annas per Colaga. In the year 1868, he applied by petition for permission to raise garden cultivation in the land at the old rate of 7 annas per cologa, under the Chief Commissioner's Notification in respect to improvement of dry lands at the expense of the holders, and the Amildar raised no objection to it.

3. Soobroyappa sunk a goonta, planted 2 cocoanut trees and raised some vegetables in the land, but as he did not succeed in getting a spring and as his endeavours to convert the dry land into garden land proved a failure, he gave it to the petitioner 12 years ago and the latter raised only dry crop in some and grazed his cattle in the other portion of the land. No body has said that he raised garden produce in the said land even since his purchase.

4. At the time of the survey operations, the land was made into dry land and garden at 1 and 3½ acres respectively and the assessment has therefore been enhanced by 5 Rupees per annum.

Survey No 24		
Dry	1.	2
Garden	3.20	12
	4.20	14
	Old no	65
	Dry 4-12½	2-1

5. I have seen the goonta, and it now appears to be old and ruined as it has

has been filled up to a great extent by the rain water getting into the pit from a number of years. Nor are the cocoanut trees standing in the land now. If the petitioner can however spend some money, the well can be made useful, and garden crop obtained from the land.

Survey No 40.

	~~5.19~~	an
Dry	3-20	7-4-0
Garden	1.37	11-12-
	5.17	19.0.0

6. In respect to land No 40, one acre of dry land has been converted into wet garden land at an assessment of Rs 6½ per acre. This has been done because the petitioner can take water not only from the Rajkalve, running close by the land to the south, but also from a well sunk by the petitioner many years ago, about the locality.

7. The level of the Rajkalway is lower than that of the land, which is moreover rising to the north. Hence the petitioner shall have to lift up water from the Rajkalwa and well if he has to raise wet or garden cultivation in this portion of the dry land, and even then it seems doubtful whether the water could be made to go to the whole area without a raised Kalve to obtain the requisite level.

8. The petitioner and others say that the well was sunk to take water for

for his garden lands already assessed as such, owing to the insufficiency of water in the Tank, that he never raised any garden or wet crop in the portion now converted from dry to wet garden, and that as the Tank water supply is insufficient more than 4 acres of Atchcut lands have been left waste for the past many years.

9. If the water could without difficulty or labour be taken to this land, from the Rajkalway or well and if the water in the Tank was sufficient or more than sufficient, the petitioner would not have remained quiet all this time without at least attempting to raise wet or garden cultivation in it. That being so, it was rather hard to make him pay an enhanced assessment on mere surmises that he could raise garden crop in it from water in the Rajkalway and well. The petitioner is however shown to have given his consent to retain the land No 40 at the time of the settlement and his request now to disturb that settlement does not deserve favorable consideration.

10. The Chief Secretary's Memo with

with enclosures, and Petition No 690 with enclosure received from your office, are herewith enclosed.

I have the honor to be
Sir.
Your most obedt servant.
(Sd) A. Coopoosami Modliar
Assistant Commissioner

Dated 18th August 1898

"Copy"

Deputy Commissioner

48

Survey No 47.

1889 90.

OFFICE O... 7035 21.OCT.90 135 DEWAN OF M... ORE

From

The Superintendent Mysore Rev, Survey

To L.R. 78-89-5 (6)

The Chief Secretary to the Govt of Mysore

Dated

Despatched } 17th Octr/90.

Received

ENCLOSURES No. 1 bill & 5 paper

No. 513 of 1889 90.

Submitting a report at the statements made by Petitioner Mooniappa of the village of Kuppenahalli, in the Bowring Pet Taluk, in the matter of Survey assessment of Nos 24 & 40, are not borne out by the Classification papers.

Petit off
20/10/90

Submitted to the Council.
3d Novr 1890. A.R.

B
1-11-90

land which at one time produced Rice and Sugar-cane the Survey rate is Rs 3. 8 per acre. The capability of the soil and water in this case is I think provide. The dry land requires no remark.

— Survey No. 40 — Dry A. G. 3. 20 — Garden A. G. 1. 37 —

At time of classification the Garden was under crop as follows.

A	G.	
— 0.	15 —	Turmeric
— 0.	3 —	vegetables
— 0.	18 —	Rice now fallow
— 1.	1 —	Ragi and awari
1.	37	

The well has water within 2 yards of the surface and 1 acre out of the A. G. 1. 37, enjoyed water supply by channel from the tank Survey No. 6. Besides this out of the A. G. 3. 20 dry the Classer recorded it as his opinion that A. G. 1. 10 could be converted into garden. The Survey rate was fixed at Rs 6. 0 per acre.

4 Under the above circumstances

=stances I must leave it for Govern=
=ment to judge whether there is any
reason to reduce the rates. My
opinion is that the Petitioner's state
=ments are not borne out by the
classification papers which there
is not the slightest reason for
distrusting. Encls: are herewith retd.

I have the honor to be
Sir,
Your most obedt. Servant
J. H. Grant
Suptt. Mysore Rev. Survey

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
CAMP Kolar
RECD. NO. 1732
DATE 23-1-92

7

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT.
RECD. NO. 3258
DATED 28-1-92

[illegible]

[illegible]

[illegible]

[illegible] 27 [illegible]

[illegible] 322 [illegible]

[illegible] 14-2-91 [illegible]

[illegible] 33 [illegible]

[illegible] 322 [illegible]

[illegible] 33 [illegible]

[illegible] 23-1-92 [illegible]

[illegible]

Note 32

12460
3.92
P. 68

(General Serial No. 31).

1892.

Petn Deptt Mch 16/3/92

From

The Deputy Commissioner
Kolar Disheel.

Kolar Dylowri No 1426/321 of 16 Aug 1891 with refs - sent on 4.12.90 for submission to the Dewan Bahadur

Submitted in continuation.

22/3/92

To

The Chief Secretary to the Dewan of Mysore.

Dated 14th March 1892

Despatched 15th

Received

Enclosures No. 1

General No. 3580
No. 856

His Official Memo No 217 of the 28th January last, requests to cite the No. and date of the report submitted in the case of Munigappah of Kuppenahalli Kasaba Tammat Bowringpet Taluk.

With reference to the above, has the honor to state that the report referred to therein was submitted with this office letter No. 1426/321 of the 16th August last,

The enclosures of

19-3-92 16-3-92

of the memo under reply is herewith resubmitted.

26 H. Terminal Lieutenant
for Deputy Commissioner
Kolar District

From

Q have been raised in a portion of the land, the other portion being used for grazing purposes. The cocoa nut trees planted in 1868 do not now exist. The Surc: Dept: assessed 3-20 acres at the garden rate of Rs: 3"8"0 per acre on the ground (1) that garden & rice crops were once raised on the land & (2) that the Gunta or well was in good condition at the time of the survey. The Asst: Comr: who inspected the land states that the Gunta is now in a ruined condition and that if Petitioner will spend some money, garden crops could be raised on the land.

In Surc no. 40, ~~At the time of the survey~~, turmeric & vegetables were raised at the time of survey - ~~on the land~~. The Surc: Dept: assessed 1-37 acres as garden at Rs: 6 an acre

on the ground that one
acre of the land enjoyed
water supply by channel J. O
from the tank & that
37 gunters could be irri-
-gated by a well close
by. The Assistant Comr.
who inspected the land
reports that the level of
the channel is lower
than that of the land,
that water could not
be brought to the land
without lift and that
the water in the tank
~~is stated to be~~ insufficient
for the ashkat under
it. The well referred to
does not appear to be on
the land itself but near
it, intended chiefly to
irrigate another piece
of garden land. No garden
crops are now raised.

4. From the above it
is clear that the one
acre of land in sur:
no: 40 under channel
is irrigable by lift, &
that 37 gunters in no:
40 & 3½ acres in no: 24
are under wells. The
survey definition of
garden

32

11-1-93

No. 322-

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
24 Dec 1892.
11-1-93

(11)

Endorsement granted to Muniappa of Kuppanhalli
in reply to his Bowringpett Tk Petition Registered No. 322 dated 27 May 1890.

L.A. 78-89-10

Petitioner is informed that the Government after mature consideration are not prepared to alter the garden rates of assessment fixed on the lands in question.

2 The enc: is returned.

"By Order,"

Redraft

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.

thereby entirely changing the real description of the land. About 4 or 5 acres out of them have been classed as bagayet.

The Survey Supt^d to whom Petr. petitioned on the subject requesting him to inspect the spot which was only at the short distance of 3 or 4 miles, was not pleased to grant his prayer but gave him an endorsement* which is herewith produced.

Petr. has been seriously wronged by the above procedure; prays that the matter be fully enquired into.

* Survey Supt^ts order No. 768 d/17-4-90.

work was conducted according to rules & the

Survey rates we introduced acco Your request the "bab" can complied with.

No 132

29-5-90.

9

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

(3)

The accompanying Petition No. 322 dated 27th May 1890 received at the Dewan's Office from Muniappa of Kuppamahalli, Bowringpet Talug

is forwarded, together with its one enclosure, to the Dy. Commr. Kolar District for report after an inspection of the land by himself or one of his assistants, with Extracts from the Vasúl baki and Sud accounts.

By Order,

BANGALORE, 27th May 1890 } Draft Chief Secretary

29.

Draft on Ch. S's orders.

28/5.

Sub Thesaurical addition

(5)

L.R. 78-89-4

Read docket from the Dy Comr of Kolar dated 16th August 1890 No 1426/321 x

No 7804-5/306 of 24-9-90 / 1-10- E.H.P.

The letter read above together with the papers connected therewith will be forwarded to the Supdt of Revenue Survey for disposal & report.

2- Under the circumstances explained by the ~~Dy~~ asst Comr, in her letter to the Dy Comr dated 8th August 1890 No 3, the Govt consider that the Petitioner is entitled to some ~~a~~ relief.

[illegible]orting upon Mooniappa's [illegible]mplaint that some of [illegible]s dry lands in Kempa-[illegible]uhalli, Bowring Pete [illegible]alug have been assessed [illegible]t garden rates in cir-[illegible]cumstances which do [illegible]ot justify such assess-[illegible]ment.

[illegible]
24/9/90

[illegible]
[illegible]
26 Sep 90

[illegible] Dy Comr Kolar Dt
Superintendent Rev: Survey with papers read above.

No. 573 Survey Supt's Office
Bangalore 17th October 1890

L.A. 78-89-6

To,

The Chief Secretary to the
Government of Mysore

Sir,

I have the honor to report as follows with reference to Proceedings and Order No. 7804-5/306 of the Government of Mysore dated 24th September 1890.

2 The subject of the above Proceedings and Order is the question of affording some relief to one Muniappa of the village of Kupanhalli, Bowringpet Taluk, in the matter of the Survey assessment of Survey Nos. 24 and 40 which are in the Petitioner's occupancy and which apparently asserts are dry land. The Government more-

-over

-over I observe is inclined, on the strength of the Assistant Commissioner's letter No. 6 of the 8th August last to the Deputy Commissioner, to regard the Petitioner as entitled to some relief.

3 I have examined the classification Papers from which the following particulars are forthcoming.

Survey No. 24 — Dry 1. a 0 g Garden 3. a 20 g

The 3. a 20 g are registered as last under Rice, now uncultivated, formerly under sugarcane and some cocoanut trees not now standing. The well at that time was in fair order and the water which was 2 yards deep was within 1½ yards of the surface. The well had not been worked for 2 years. On this land

No. 217 R. (8)

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition Camp Regd No. 1732/3258 dated 23rd Jany 1892 received at the Dewan's Office from Muniappa of Kuppanahulli, Kasba Sammat Bowringpet Taluk, praying for the early disposal of his appeal petition complaining against the high rate of assessment fixed on some of his dry lands is forwarded to the Deputy Commissioner, Kolar District

~~is forwarded, together with its enclosures, to the~~

2. The Deputy Commissioner's Endorsement is deficient in that it does not cite the number and date of the Report. This should now be reported.

By Order,

Draft

Chief Secretary.

BANGALORE,
Jany 1892.

10/2/92

27/1

Endorsement 10/2/92

Forwarded 14/3/92 to 14/5/92

village were unjustly assessed at garden rates. and prays for revision of assessment ~~at dry rates~~.

2. The area & assessment of the two numbers are as shewn below:-

Sur No:		Extent. a. s.	Ass^t: Rs:
24	Dry	1.0	2.0.0
	garden	3-20	12.0.0
	Total	4-20	14.0.0
40	Dry	3.20	7.4.0
	garden	1.37	11.12.0
	Total	5.17	19.0.0

3 The facts of the case are briefly ~~are~~ these:—

Sur No: 24 ~~This~~ was originally dry. In about 1868, the then holder of the land excavated a gunter, planted a few cocoanut trees, and raised garden crops; but, as he had not sufficient water in the gunter, he gave up the garden cultivation and transferred the land to the Petitioner in about 1877. Ever since dry crops alone are said

to

31

2

includes land irrigable by lift whether garden crops are raised on it or not. Special assessment on well irrigated land is not defensible in principle. But the Govt. are not prepared to abandon it. "Once a garden always a garden" ~~will be found~~ the most expedient rule to adopt.

5. The Govt. therefore decline to alter the assessment in these cases.

Chief Secretary

24/12.

Redraft.
.H

Sent to Petr.

No. 9950 / Pet Fl 235-92 — 14-12 / 11-1-93

The Petr is informed that the Govt. after mature consideration ~~decline~~ are not prepared to alter the garden rates of assessment fixed on the lands in question.

Dy. Commr, Kolar returning the papers.

Draft.
.H 21.12.92.